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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Martin Saur

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EXAMINER

KIM, JOHN K

ART UNIT

PAPER NUMBER

2834

MAIL DATE

DELIVERY MODE

03/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,173	Applicant(s) SAUR ET AL.	
	Examiner JOHN K. KIM	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/19/2009, 5/11/2007, 3/15/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is in response to papers filed on 9/8/2008. Applicant's remarks have been entered and considered.
2. Claims 12-24 are pending and are presented for examination.

Remarks

3. In view of the applicant's remarks, the Examiner withdraws the rejection under 35 USC 103(a) to claims 12-24 mailed on 6/20/2008. However, claims 12-24 are not in a condition for allowance in view of new grounds of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 12 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Loup (US 4690366).

As for claim 12, Loup shows (in Figs. 1-4) and discloses an electric motor system for an air conditioning fan of a motor vehicle, comprising: an electric motor (10); a motor housing (24) for the electric motor, wherein the motor housing includes a receiving opening (front opening) into which the electric motor at least partially extends; at least one electrical connection element (42) for supplying power to the electric motor; and an attachment unit (52) for the at least one electrical connection element, wherein the at least one electrical connection element (42) is attached to the electric motor.

As for claim 16, Loup teaches the claimed invention as applied to claim 12 above. Loup shows (in Figs. 1-4) and discloses the at least one electrical connection element (42) includes a plug (50) and a plug receptacle (46) for contacting the electric motor, and wherein the plug (50) is configured to be attached to the electric motor (10). (col. 3, line 2-8)

As for claim 17, Loup teaches the claimed invention as applied to claim 16 above. Loup shows (in Figs. 1-4) and discloses the plug (50) is configured to be latched to the electric motor for secure contacting.

As for claim 18, Loup teaches the claimed invention as applied to claim 12 above. Loup shows (in Figs. 1-4) and discloses the at least one electrical connection element (42) includes a plug (50) and a plug receptacle (46), wherein the plug (50) is configured to be latched to the electric motor (10) for secure contacting of the electric motor without using a separate latching system on the motor housing.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 13-15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loup (US 4690366) in view of Nadeau et al (US 2003/0155822).

As for claim 13, Loup teaches the claimed invention as applied to claim 12 above. Loup further shows (in Figs. 1-4) and disclose the at least one electrical connection element (42) is attached to the electric motor (10), but failed to show or disclose without the use of the attachment unit on the motor housing. In the same field of endeavor, Nadeau shows (in Figs. 1-3) and discloses at least one electrical connection element (wires at 26) is attached to the electric motor (12), without the use of the attachment unit on the motor housing (30). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Nadeau with that of Loup, since it has been held that rearranging parts of an invention involved only routine skill in the art.

As for claim 14, Loup in view of Nadeau shows and discloses the claimed invention as applied to claim 13 above. Loup in view of Nadeau shows (in Figs. 1-4)

Art Unit: 2834

the at least one electrical connection element (42) includes a plug (50) and a plug receptacle (46), wherein the plug receptacle is formed on the electric motor (in view of Nadeau).

As for claim 15, Loup in view of Nadeau shows and discloses the claimed invention as applied to claim 14 above. Nadeau in view of Loup shows (in Figs. 2-4) and discloses the plug receptacle (in view of Loup) is formed in an area of a bearing bracket (49) of the electric motor.

As for claim 23, Loup shows and discloses the claimed invention as applied to claim 18 above. Loup is silent to show or discloses the plug is configured to be latched to a bearing bracket of a shaft of the electric motor. In the same field of endeavor, Nadeau shows (in Figs. 2-4) and discloses connector is formed in an area of a bearing bracket (49) of a shaft of the electric motor. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Nadeau with that of Loup, since it has been held that rearranging parts of an invention involved only routine skill in the art.

9. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loup (US 4690366) in view of Lewis (US 3518616).

As for claim 19, Loup teaches the claimed invention as applied to claim 17 above. Loup is silent to show or disclose the plug includes at least one spring-elastic latching element for secure contacting. In the same field of endeavor, Lewis shows (in

Art Unit: 2834

Figs. 4) and discloses a plug includes at least one spring-elastic latching element (60) for secure contacting. (col. 5, line 44-50) Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Lewis with that of Loup to hold the cover latched in a closed position. (col. 3, line 18-19)

As for claim 20, except claim dependency, the claim contains the same limitation as claim 19 and is rejected for the same reason set forth in connection with the rejection of claim 19 above.

As for claim 21, Loup in view of Lewis teaches the claimed invention as applied to claim 19 above. Lewis shows (in Figs. 4) and discloses the at least one spring-elastic latching element (60) includes at least two latching hooks.

As for claim 22, except claim dependency, the claim contains the same limitation as claim 21 and is rejected for the same reason set forth in connection with the rejection of claim 21 above.

10. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loup (US 4690366) in view of Lewis (US 3518616) and in further view of Nadeau et al (US 2003/0155822).

As for claim 24, except claim dependency, the claim contains the same limitation as claim 23 and is rejected for the same reason set forth in connection with the rejection of claim 23 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN K. KIM whose telephone number is (571)270-5072. The fax phone number for the examiner where this application or proceeding is assigned is 571-270-6072. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quyen Leung can be reached on 571-272-8188. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quyen P Leung/
Supervisory Patent Examiner, Art Unit 2834

JK